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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/461,565	12/14/1999	STEVEN ERICSSON ZENITH	MS-148615.1	3972

22913 7590 02/26/2002

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EXAMINER

TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 02/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

HC

Office Action Summary	Application No. 09/461,565	Applicant(s) STEVEN ERICSSON ZENITH	
	Examiner Mylinh T Tran	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Drawings***

Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

On line 7, "Means" should be deleted.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harrison [US. 5,694,163] in view of Portuesi [US. 5,774,666].

As to claims 1, 20 and 26, Harrison discloses receiving a video signal at the device (see abstract). Harrison cites "...A television program is combined with the associated data at a broadcast transmitter. The encoded television signal is broadcast..." read as the video signal; receiving at the user interface device chat communications corresponding to the video signal (see abstract). Harrison also cites "...their personal computers over a telephone network with an on-line service that provides a chat capability...A chat formatter at this server formats and transmits the chat over an associated data channel..." read as the user interface device chat communications; displaying the video signal and the chat communications on the display in a first mode (see Figure 2, (214, 216, 226), column 4, lines 22-49). The difference between Harrison and the claim is displaying with the video signal and the chat communications a link to a second mode of displaying the video signal and chat communications. Portuesi shows the link to the second mode of displaying the video signal and chat communications (see Figure 3, (28, 30 and 36; column 5, line 57 through column 6, line 20). Portuesi cites "...Hypertext link is displayed and is active within display window only for a specific...if the pointing device is positioned over hypertext link, caption can provide a name for link or provide the actual URL..." read as the link to the second mode. It would have been obvious to one of ordinary skill in the art, having the teachings of Harrison and Portuesi before them at the time the invention was made to modify the chat communication corresponding to the video signal taught by Harrison to include the link to the second mode of the display of Portuesi, with the motivation being to provide various display ^{KK} 2102

modes and to allow users to activate links and connect to resources as taught by Portuesi et al.

As to claims 2 and 12, Harrison also discloses the video signal is a television show (column 2, lines 53-67).

As to claims 3 and 13, Harrison teaches the chat communications is text (see abstract).

As to claims 4 and 14, Harrison also teaches the video signal is displayed on a first portion of the display, and the text is displayed on a second portion of the display (Figure 2, (214, 216, 226) column 4, lines 22-60).

As to claims 5 and 15, Portuesi shows the chat overlies a portion of the video signal (column 6, lines 1-35).

As to claims 6 and 16, Harrison also shows changing the video signal receive a different channel, and in response to the different channel sending a request to a server for different chat communication corresponding to the different channel (column 6, lines 40-60).

As to claim 7, Portuesi demonstrates actuating the link and thereby interpreting a document having display attributes corresponding to the second mode (column 3, line 65 through column 4, line 18).

As to claims 8 and 18, Harrison also demonstrates displaying an area on the display for sending information relating to the video signal or chat communications (column 4, line 50 through column 5, line 7).

As to claims 9 and 19, Harrison discloses displaying an area the display for scrolling through the chat Communications (column 2, lines 31-51).

As to claim 10, Portuesi also discloses the selecting the link, wherein the link identifies a television markup language document and rendering the document to display the second mode (column 9, lines 22-48).

As to claim 11, the claim is analyzed as previously discuss respect to claim 1 except for a link to a different format of displaying the video signal and the chat communications.

Portuesi shows the different format on column 5, line 58 through column 6, line 45).

As to claim 17, the claim is analyzed as previously discuss with respect to claims 7 and 11.

As to claim 21, Portuesi shows the means for switching to the second mode includes actuating a hypertext link displayed in the first mode (column 6, lines 1-20).

As to claim 23, Portuesiⁱ also shows the documents are written in a form of hypertext^{KK 2/02} markup language (column 8, line 53 through column 9, line 22).

As to claim 24, the claim is analyzed as previously discuss with respect to claims 2 and 3.

As to claim 25, Harrison teaches a transmitter operated by the controller for sending text input over the Internet to a chat room broadcasting the text signals (column 4, lines 50-67).

Conclusion

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238), may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

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Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Friday from 8.00AM to 4.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640,

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran

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